IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 444 of 2005

Between:

1 Karipireddy Venkateswarlu, S/o.Narasa Reddy,
R/o.Siddareddy Palem, H/o.Chennuru,
Dagadarthi Mandal, Nellore District.
2 Karipireddy Subbaiah, S/o.Venkata Reddy,
R/o.Siddareddy Palem, H/o.Chennuru,
Dagadarthi Mandal, Nellore District.

..... PETITIONERS

AND

1 The District Collector, Nellore, Nellore District.
2 The Revenue Divisional officer, Kavali, Nellore District.
3 The Mandal Revenue officer, Dagadarthi, Dagadarthi Mandal,

Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction one more particularly in the nature of writ of Mandamus declaring the action of the 2nd respondent in not entertaining and disposing of the appeals filed by the petitioners against the proceedings of the 3rd respondent dated 8-9-2004 but served on 10-1-2005 in Rc. / 2004 in respect of Ac.1-06 cents in Sy.No.116-14, Ac.1-09 cents in Sy.No.117-2 of the 1st petitioner and Ac.1-06 cents in sy.No.116-15 and Ac.1-38 cents in Sy.No.117-4 (Mentioned as Sy.No.115-4) in the proceedings dated 8-9-2004 of the 2nd petitioner situated at Chennuru of Dagadarthi mandal, Nellore District at the instance of the 1st petitioner as illegal, arbitrary, unjust and violative of Articles 14, 21 of Constitution of India and provisions of A.P. Assigned lands (Prohibition of Transfer of Assigned lands) Act of 1977 and principles of natural justice and consequently direct the 2nd respondent to

entertain and dispose of the appeals and stay petitions filed by the petitioners and pass such other orders.

Counsel for the Petitioners: MR.M.VENKATA NARAYANA

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

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ORDER:

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Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue, and with their consent, the Writ Petition itself is disposed of at the stage of admission.

In this writ petition, the petitioners are challenging the impugned order dated 08.09.2004 passed by the 3rd respondent-Mandal Revenue Officer in exercise of the powers under the Provisions of A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act') in respect of Ac.1.06 cents in Sy.No.116-4 and Ac.1.09 cents in Sy.No.117-2 of Chennur village, standing in the name of the 1st petitioner, and Ac.2.30 cents in Sy.No.115-4 of Chennur village, standing in the name of the 2nd petitioner. It is submitted that against the orders passed by the 3rd respondent-Mandal Revenue Officer, the petitioners already preferred appeals on 11.01.2005 under Section 4 of the Act, and also filed petitions to suspend the orders of the 3rd respondent-Mandal Revenue Officer, which are pending on the file of the 2nd respondent-Revenue Divisional Officer. Assailing the action of the 2nd respondent-Revenue Divisional Officer, in not entertaining and disposing of the appeals, the petitioners filed this writ petition.

In the circumstances, the Writ Petition is disposed of at the stage of admission directing the 2nd respondent-Revenue Divisional Officer to consider the appeals and the suspension petitions said to have been filed by the petitioners and pass appropriate orders either on the suspension petitions or on the appeals in

accordance with law. Till passing of such orders, status quo obtaining as on today shall be maintained.

Dated: 20.01.2005

Dsr/nsr

ASSISTANT REGISTRAR

To:

1. The District Collector, Nellore,

Nellore District

2. The Revenue Divisional Officer, Kavali,

Nellore District

3. The Mandal Revenue Officer,

Dagadarthi, Dagadarthi Mandal, Nellore District

4. Two CCs to the Government Pleader

for Revenue, High Court Buildings,

Hyderabad (OUT)

5. Two CD copies